



DOCKET NO.: C1039.70022US00

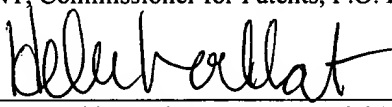
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Arthur M. Krieg et al.
Serial No.: 09/337,893
Confirmation No.: 9627
Filed: June 21, 1999
For: METHODS OF REDIRECTING AN IMMUNE RESPONSE
USING IMMUNOSTIMULATORY
OLIGONUCLEOTIDES

Examiner: Nita M. Minnifield
Art Unit: 1645

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 12th day of September, 2005.


Helen C. Lockhart, Ph.D., Reg. No. 39,248

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

The Examiner has indicated that some of the references cited on the October 4, 2004 IDS have not been considered. The Examiner requests that Applicants submit copies of the references cited in that IDS which were not initialed by the Examiner. Applicants enclose herewith a supplemental IDS with 1449 citing the references requested by the Examiner. It is

applicants understanding that a fee is not requested for submission of the IDS because Applicants previously paid a fee with the submission of the October 4, 2004 IDS and met all the requirements of 37 CFR 1.98 at that time. If a fee is required, it may be charged to Applicants deposit account listed on the attached transmittal.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

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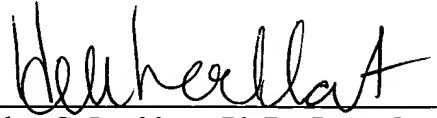
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Art Unit: 1645

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By: 
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Docket No.: C1039.70022US00
Date: September 12, 2005
x9/11/05x



FORM PTO-1449/A and B (modified PTO/SB/08)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

APPLICATION NO.: 09/337,893

ATTY. DOCKET NO.: C1039.70022US00

FILING DATE: June 21, 199

CONFIRMATION NO.: 9627

APPLICANT: Arthur M. Krieg et al.

GROUP ART UNIT: 1645

EXAMINER: Nita M. Minnifield

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C158	HARTMANN et al., "CpG DNA: a potent signal for growth, activation, and maturation of human dendritic cells", <i>Proceedings of the National Academy of Science USA</i> , 96: 9305-9310, 1999.	
	C159	KATAOKA et al., "Antitumor activity of synthetic oligonucleotides with sequences from cDNA encoding proteins of Mycobacterium bovis BCG", <i>Japan Journal of Cancer Research</i> , 83: 244-247, 1992.	
	C160	KRIEG et al., American College of Rheumatology 58th National Scientific Meeting. Minneapolis, Minnesota, October 22, 1994. Abstracts. <i>Arthritis Rheum.</i> 1994 Sep;37(9 Suppl).	
	C161	YI et al. "CpG oligodeoxyribonucleotides rescue mature spleen B cells from spontaneous apoptosis and promote cell cycle entry", <i>Journal of Immunology</i> , 160: 5898, 1998.	

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE — No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]